

**31A-4-102. Qualified insurers.**

(1) A person may not conduct an insurance business in Utah in person, through an agent, through a broker, through the mail, or through another method of communication, except:

- (a) an insurer:
  - (i) authorized to do business in Utah under:
    - (A) Chapter 5, Domestic Stock and Mutual Insurance Corporations;
    - (B) Chapter 7, Nonprofit Health Service Insurance Corporations;
    - (C) Chapter 8, Health Maintenance Organizations and Limited Health Plans;
    - (D) Chapter 9, Insurance Fraternal;
    - (E) Chapter 10, Annuities;
    - (F) Chapter 11, Motor Clubs;
    - (G) Chapter 13, Employee Welfare Funds and Plans;
    - (H) Chapter 14, Foreign Insurers;
    - (I) Chapter 37, Captive Insurance Companies Act; or
    - (J) Chapter 37a, Special Purpose Financial Captive Insurance Company Act;

and

- (ii) within the limits of its certificate of authority;
  - (b) a joint underwriting group under Section 31A-2-214 or 31A-20-102;
  - (c) an insurer doing business under Section 31A-15-103;
  - (d) a person who submits to the commissioner a certificate from the United States Department of Labor, or such other evidence as satisfies the commissioner, that the laws of Utah are preempted with respect to specified activities of that person by Section 514 of the Employee Retirement Income Security Act of 1974 or other federal law; or

(e) a person exempt from this title under Section 31A-1-103 or another applicable statute.

(2) As used in this section, "insurer" includes a bail bond surety company, as defined in Section 31A-35-102.

Amended by Chapter 290, 2014 General Session

Amended by Chapter 300, 2014 General Session